

REMARKS

Claims 48-51 have been canceled without prejudice or disclaimer. Claims 1, 2, 4, 22, 24, 26-29, 31, 37-39, 41, 44 and 46 have been amended. Accordingly, claims 1, 2, 4 and 22-47 are currently pending in the application.

PTO-1449 FORM

On February 28, 2000, Applicants filed an Information Disclosure Statement. However, the Examiner has not returned initialed PTO-1449 Forms. Accordingly, it is requested that the Examiner initial and return a copy of the attached PTO-1449 Forms.

CLAIM OBJECTIONS

Claim 4 has been amended to overcome the Examiner's objection. The Examiner comments that the "agent server" other than being connected to a client and the distribution server has no functionality recited. However, it is specifically recited that the agent server manages commission on the delivery goods by the agent. Reconsideration is hereby requested.

SPECIFICATION

The Examiner has objected to the specification under 35 U.S.C. §112, first paragraph for not providing support for the agent server that is used when commission by an agent is selected on delivery of goods as well as an agent server comprising a client apparatus and a distribution server.

With respect to the first objection, the Examiner's attention is directed to reference numeral 113 in the figures and corresponding description in the specification. In addition, support can also be found in the originally filed claims. The originally filed claims recite an agent server for managing commission on the delivery goods by the agent (see claim 1 for example). In addition, claim 11 recites that the agent server comprises means for providing a commissioned goods information relating to the delivery goods which are transferred from the distribution center into the agent to be commissioned.

Claims 48-51 have been canceled. Therefore, the Examiner's second objection mentioned above has been rendered moot. ✓

35 U.S.C. §112

The rejection of claims 22-51 have been overcome to the extent set forth above with respect to the objection to the specification.

The claims have been amended to overcome the outstanding rejection of claims 22-51 under 35 U.S.C. §112, second paragraph.

35 U.S.C. §102 and §103

Claims 22-51 stand rejected under 35 U.S.C. §102 as being anticipated by Martin et al. Claims 2 and 4 stand rejected under 35 U.S.C. §103 as being unpatentable over Martin et al. These rejections are traversed as follows.

According to the present invention, goods are distributed from a distribution center to a receiver or client through an agent. Martin et al fail to disclose even this basic feature of the pending claims let alone the various details of how this is accomplished.

Martin et al disclose an on-time delivery, tracking and reporting system that includes a step of maintaining a customer preferences database having delivery and reporting preferences for individual customers (see Abstract). The Examiner contends that the customer service representative

taught by Martin et al corresponds to the agent in the pending claims. However, the customer service representative merely has the role of editing or compiling customer preferences such as time period for delivery, etc. The customer service representative is not involved in the delivery of goods to the customer. The Examiner further alleges that the outputting of delivery goods information to the agent is taught by Martin et al. It is very difficult to imagine that such information would actually be sent to the customer service representative of Martin et al whose purpose is merely to compile customer preferences. Therefore, the rejection under 35 U.S.C. §102 simply cannot be maintained.

With respect to the rejection under 35 U.S.C. §103, the Examiner attempts to equate the scheduler of Martin et al to the agent server of the present invention. According to the present invention, delivery goods are received by a delivery agent, at a place different from the destination of the delivery. Therefore, the information maintained by the scheduler of Martin et al is different from that maintained by the agent server of the present invention.

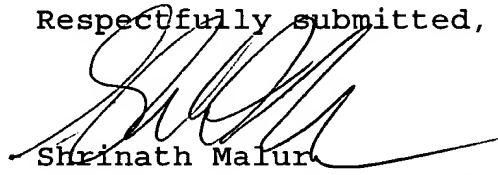
A customer order entry of Martin et al may contain information about when delivery of goods should be conducted,

but does not contain information about an agent that should receive the goods.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant contends that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



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